

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49849 of 2022

Arising Out of PS. Case No.-711 Year-2021 Thana- KANTI District- Muzaffarpur

ROHIT KUMAR S/o Shatrughan Chaudhary, R/o village- Sarmaipur
Dhamauli Ramnath, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Kanti P.S. Case No. 711/2021 registered for offence
punishable under sections 272, 273, 284, 328, 307, 302,
120(B)/34 of the Indian Penal Code.

There are thirteen accused persons, including the
petitioner in this case. The allegation against them is that they
sold spurious liquor and after consuming the same, four persons
had died.



The learned counsel for the petitioner has submitted that there is no specific allegation against any of the accused persons, though there is allegation that the petitioner was selling spurious liquor, but this allegation is false and the petitioner is a person of clean antecedent. He has submitted further that on similar ground some accused persons have been granted bail by the coordinate Bench of this Court in Cr. Misc. Nos. 9674, 5862, 8876, and 7821 of 2022 and the case of the petitioner is on similar footing.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances as well as clean antecedent of the petitioner and also considering the fact that some other co-accused persons have been granted bail by the coordinate Bench of this Court, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Muzaffarpur in connection with Kanti P.S. Case No.711/2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the



court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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